

**Board of Athletic Trainers  
Minutes**

**Date:** May 27, 2010

**Time:** 9:00 a.m., C.D.T.

**Location:** 227 French Landing  
Heritage Place, Metro Center  
Ground Floor, Poplar Conference Room  
Nashville, TN 37243

**Member(s) Present:** Joseph T. Erdeljac, A.T., Chair,  
Monroe J. Abram, A.T., Vice Chair  
Walter Fitzpatrick, III, Consumer Member  
Janet Rasmussen-Wilbert, A.T

**Member(s) Absent:** Kurt P. Spindler, M.D

**Staff Present:** Marva Swann, Board Director  
Tomica Walker, Board Administrator  
Marc Guilford, Assistant General Counsel  
Libby Miller, Director, Health Related Boards  
Alison Cleaves, Deputy General Counsel

With a quorum being present, Mr. Erdeljac, Chair, called the meeting to order at 9:15 a.m.

**Office of General Counsel Report**

**Rules**

The Board has reviewed and voted to hold rulemaking hearings for changes to Rule 0150-1-.09, 0150-1-.11, and 0150-1-.12 relative continuing education and for rule language regarding "persons," and Rule 0150-1.06 relating to raising application and renewal fees.

**Litigation**

There are three (3) open cases in the Office of General Counsel for this Board. If ratified, two (2) cases will be closed by consent order at this meeting.

**Consent Orders**

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- A. James Phillips, AT license #912—Mr Guilford presented a Consent Order for James Phillips. Mr. Phillips was found to have practiced on an expired license from July 2009 through January 2010, a violation of T.C.A. §63-24-107(b) (1) (2) (6) and Rule 0150-1-.15. Mr. Phillips has paid all fees relative to reinstatement and has agreed to pay a civil penalty in the amount of one thousand five hundred dollars (\$1,500.00). After review and discussion, Ms. Wilbert made a motion seconded by Mr. Abram to approve the Consent Order as presented. The motion carried.
- B. Kelli S Trent, AT, license #1164—Mr. Guilford presented a Consent Order for Kelli Trent. Ms. Trent was found to have practiced on an expired license from April 2009 through December 2009, a violation of T.C.A. §63-24-107(b) (1) (2) (6) and Rule 0150-1-.15. Ms Trent has paid all fees relative to reinstatement and has agreed to pay a civil penalty in the amount of two thousand one hundred dollars (\$2,100). After review and discussion, Ms. Wilbert made a motion seconded by Mr. Abram to approve the Consent Order as presented. The motion carried.

### **Minutes**

Ms. Wilbert made a motion seconded by Mr. Abram to accept the minutes of the October 29, 2010 meeting as presented. The motion carried.

Mr. Fitzpatrick made a motion seconded by Mr. Abram to accept the minutes of the March 8 2010 meeting as presented. The motion carried.

### **Investigative/Disciplinary Report**

There are no open cases in investigations and one person is being monitored following Board disciplinary action.

### **Suspension of Licensees Who Default on Student Loans**

Alison Cleaves, Deputy General Counsel, proposed that the Board, pursuant to T.C.A. §63-1-141 authorize Health Related Boards to suspend a license after notification from the Tennessee Assistance Corporation (TSAC) that the licensee has defaulted on a student loan. After discussion, Ms Wilbert made a motion seconded by Mr. Abram to approve. The motion carried.

### **Administrative Board Report**

There are 695 active licensees as of April 30, 2010.

Licensure activity since the last board meeting of October 2009:

- New licenses—34

- Reinstated licenses—8
- Retired licenses—6
- Failed to Renew—32

### Board Members

All positions are currently filled.

### Financial Report

The Board had revenue collections of \$37,443.50 from July 1, 2009 through March 31, 2010 and direct expenditures of \$23,895.61 for the same period. The Board would like to hold a call meeting to expedite the rulemaking process for a fee increase.

### Lapsed License Policy

The Board reviewed its policy (attached) regarding “Enforcement of Rules Regarding Licensees Working on an Expired License.” Mr. Abram made a motion seconded by Ms. Wilbert to accept the policy as amended (attached). The motion carried.

The Board reviewed a policy (attached) regarding “Employment of Persons Working on an Expired License.” Ms. Wilbert made a motion seconded by Mr. Abram to accept the policy as presented. The motion carried.

### Ratifications

Ms. Wilbert made a motion seconded by Mr. Abram to approve the following lists of new and reinstatement licenses. The motion carried.

### NEW LICENSES

CHRISTINA LYN AQUILA  
MICHAEL J. BOOI  
ALEXANDRA LISBETH BROWN  
DIEDRA CAMILLE BROWN  
JESSICA LYNN CARNEY  
ERIK ANTHONY DYGULSKI  
LA KEISHA LYNNETTE FAIR  
DANIEL ANTHONY FISCHER  
TERESA JEAN FOX  
CHRISTOPHER RONALD FRY  
MEGAN JO GOERLINGER  
CALEB JEFFREY HANBY  
CHRISTOPHER BRIAN HARRIS

MELISSA NICHOLLE HUMPHRES  
MOLLY AMANDA KIDD  
LAUREN LEIGH KOZAK  
JOSEPH MATTHEW LYNCH III  
KATE EVELYN MARCHANT  
BRENDON PATRICK MCDERMOTT  
MELISSA ANN MITCHELL  
LECIA LYNN SCHLUTERMAN  
GEOFFREY PAUL STEINBACHER  
BRANDON LEE THORNSBERRY  
MATTHEW J TOTH  
SARENA JO VACCARO  
ADRIENNE R WILSON

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DAVID WILLIAM YEAGER

**REINSTATEMENTS**

JAYSON TODD BERLIN  
YUSUF BOYD  
CHRISTIE LEA FOX  
ANDREW BATES GIBSON III

AHLEASHA MATTHEWS HILL  
JAMES PHILLIPS  
KELLI SUZANNE TRENT  
JENNIFER DEANN WATKINS

**2011 Board Meeting Dates**

May 18, 2011  
November 17, 2011

**Election of Officers**

The Board elected Joseph Erdeljac, Chair and Monroe, Vice Chair.

**Adjournment**

There being no further business to discuss, the meeting was adjourned at 11:25 a.m.

**These minutes were ratified at the November 18, 2010 meeting.**

**Policy**  
**Tennessee Board of Athletic Trainers**

**Enforcement of Rules Regarding Licensees Working On An Expired License**

The Board of Athletic Trainers realizes that an individual may allow his/her license to expire. However, Tenn. Code Ann. § 63-24-103 prohibits a non-exempt individual from working as an athletic trainer unless he/she holds an active license. To the end of enforcing the statute and rules addressing the problem of an athletic trainer working on an expired license, the Board adopts the following procedures for reinstatement of an expired license.

1. Upon recognition by the licensee that his/her license has expired, the individual must immediately cease and desist from practicing as an athletic trainer, contact the Board administrator, and request a reinstatement application.
2. The individual must complete the reinstatement application in its entirety along with a detailed work history from the date the license expired. The application must be signed before a notary and returned to the Board administrator, along with documentation of all required continuing education requirements and payment of applicable fees.
3. Once the completed reinstatement application and all required documentation is received, the Board administrator may immediately reinstate the license only if the license has been expired for a period of no more than one (1) month.
4. If the reinstatement application indicates that the applicant has worked for a time period between one (1) and three (3) months on an expired license, the licensee will be assessed a penalty in the amount of \$150 per month, for each month worked from the date of the expired license. After all fees are paid, the Board administrator may immediately reinstate the license.
5. If the reinstatement application indicates that the applicant has worked for a time period between three (3) and six (6) months on an expired license, the licensee will be assessed a penalty in the amount of \$200 per month, for each month worked from the date of the expired license. After all fees are paid, the Board administrator may immediately reinstate the license.
6. If the reinstatement application indicates that the applicant has worked for a time period greater than six (6) months on an expired license, the licensee's file will be forwarded to the Department of Health, Office of General Counsel for potential formal disciplinary action. However, if the Office of General Counsel opens a case for formal disciplinary action against the applicant and receives a signed consent order or agreed order, the Board administrator may immediately reinstate the license prior to the consent order or agreed order being ratified by the Board.

Adopted by the Tennessee Board of Athletic Trainers on December 6, 2007.

Amended by the Tennessee Board of Athletic Trainers on May 27, 2010.

**Policy**  
**Tennessee Board of Athletic Trainers**

**Employment of Persons Working on an Expired License**

It is the position of the Board of Athletic Trainers that allowing an individual who has an expired Athletic Trainer license to work as an Athletic Trainer presents a risk to the health, safety, and welfare of the citizens of Tennessee. Therefore, pursuant to the authority granted it in Tennessee Code Annotated § 63-20-110(c), the Board will assess civil penalties against any person, including a corporation or other legal entity, who employs an individual with an expired Athletic Trainer license to work as an Athletic Trainer in the state of Tennessee. Such matters will be forwarded to the Office of General Counsel for full prosecution.

The Board directs the Office of General Counsel that, absent unusual circumstances warranting more severe sanctions, such actions may be settled upon payment of civil penalties similar to those set forth in this Board's policy concerning Enforcement of Rules Regarding Licensees Working on an Expired License.

Adopted by the Tennessee Board of Athletic Trainers on May 27, 2010.